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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,745	01/28/2005	Shinya Ikeda	4829-0102PUS1	9303
2292	7590	12/08/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			MULLIS, JEFFREY C	
		ART UNIT	PAPER NUMBER	
		1711		

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/522,745	IKEDA, SHINYA	
	Examiner Jeffrey C. Mullis	Art Unit 1711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 January 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-11 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-28-05</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al (US 5,977,235) .

Fuji discloses a composition having a SIS block copolymer (abstract) zero to 30 parts of isoprene rubber (column 8, lines 10-20). See the examples for injection molding

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya et al (US 4,199,490).

Kamiya discloses a composition having a latex of rubber and block copolymers including styrene isoprene triblock copolymers (made by coupling) in applicants amounts (see the abstract as well as column 3 lines 14-66). Note Tables 1 and 25 where the rubber is natural rubber (ie cis polyisoprene). With re to the presence of diblock copolymer, it is known in the art that coupling of lithium terminated polymers is generally very inefficient and thus uncoupled diblock copolymer would be expected by those skilled in the art when practicing patentees invention.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakagami et al. (US 5,089,550).

Sakagami discloses a composition having a combination of di and triblock copolymer (abstract) and provies examples of combinations of SIS and SI in the

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examples. Note column 4, lines 6-10 for injection molding. Polyisoprene rubber may be added at column 3, lines 34-44).

The references provide no examples of applicants combination of materials but choice of applicants combination of specific materials from those in the reference would have been obvious to a practitioner having an ordinary skill in the art at the time if the invention in the expectation adequate results, absent any showing of surprising or unexpected results. With re to the molecular weight of the polyisoprene, the reference is silent regarding such. However to arrive at applicants' molecular weights would have been obvious to a practitioner having an ordinary skill in the art at the time of the invention in that it requires only routine experimentation to find the optimum or workable range of result effective variable absent any showing of surprising or unexpected results.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al, cited above in view of Peasley (US 3,750<499) or Brandt, Jr et al (S 5,678,678) or Jimenez (US 6,471,625) or Luo (US 4,054,330).

The primary reference does not disclose the production of a roller but does disclose the production of articles requiring vibration damping.. However the secondary references all disclose rollers effected by deleterious vibration. Hence production of rollers from the composition of the primary reference as taught by the secondary reference would have been obvious to a practitioner having an ordinary skill in the art at the time of the invention motivated to achieve the goals of the primary reference of producing articles requiring vibration damping and the disclosure of the

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secondary reference of rollers in need of vibration damping absent any showing of surprising or unexpected results.

Any inquiry concerning this communication should be directed to Jeffrey C. Mullis at telephone number 571 272 1075.

Jeffrey C. Mullis
J Mullis
Art Unit 1711

JCM

11-30-05

Jeffrey Mullis
Primary Examiner
Art Unit 1711

